

House Study Bill 42

SENATE/HOUSE FILE _____
BY (PROPOSED ATTORNEY
GENERAL BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act expanding the criminal offense of willful injury, and
2 providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1069DP 81
5 jm/sh/8

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1 1 Section 1. Section 702.11, subsection 2, paragraph a, Code
1 2 2005, is amended to read as follows:
1 3 a. Willful injury in violation of section 708.4,
1 4 subsection ~~2~~ 3.
1 5 Sec. 2. Section 708.4, Code 2005, is amended to read as
1 6 follows:
1 7 708.4 WILLFUL INJURY.
1 8 Any person who does an act which is not justified and which
1 9 is intended to cause serious injury to another commits the
1 10 following:
1 11 1. A class "C" felony, if the person causes serious injury
1 12 to another.
1 13 ~~2. A class "C" felony, if the person knowingly impedes the~~
1 14 ~~normal breathing or blood circulation of another.~~
1 15 ~~2- 3.~~ A class "D" felony, if the person causes bodily
1 16 injury to another.
1 17 EXPLANATION
1 18 This bill expands the definition of the criminal offense of
1 19 willful injury and provides a penalty.
1 20 A person commits a class "C" felony under the bill if the
1 21 person knowingly impedes the normal breathing or blood
1 22 circulation of another and the act is not justified and the
1 23 act is also intended to cause serious injury. The bill also
1 24 makes this offense a forcible felony under Code section
1 25 702.11. A forcible felony requires a mandatory prison
1 26 sentence.
1 27 LSB 1069DP 81
1 28 jm/sh/8